

Department of Planning and Zoning

149 Church Street
Burlington, VT 05401
<http://www.burlingtonvt.gov/PZ/>
Telephone: (802) 865-7188
(802) 865-7195 (FAX)

David E. White, AICP, Director
Ken Lerner, Assistant Director
Sandrine Thibault, AICP, Comprehensive Planner
Jay Appleton, Senior GIS/IT Programmer/Analyst
Scott Gustin, AICP, CFM, Senior Planner
Mary O'Neil, AICP, Senior Planner
Vacant, Zoning Clerk
Elsie Tillotson, Department Secretary



MEMORANDUM

To: Development Review Board
From: Mary O'Neil, AICP, Senior Planner *McNeil*
Date: January 20, 2015
RE: ZP15-0536CA (AP); 284 East Avenue

Note: These are staff comments only. Decisions on projects are made by the Development Review Board, which may approve, deny, table or modify any project. THE APPLICANT OR REPRESENTATIVE MUST ATTEND THE MEETING.

File: ZP15-0536CA Appeal

Location: 284 East Avenue

Zone: I / RL **Ward:** 1

Date appeal accepted: December 17, 2014

Date of administrative decision: December 4, 2014

Date of application: October 27, 2014

Applicant/ Owner: UVM

Request: Appeal of Administrative Denial of request for relocation of access drive for Police Services.

Background:

- Zoning Permit 15-0536CA; Relocate access to property. Denied December 2014. (Subject of this appeal.)
- Request for "As Built" approval for changes to ZP15-0194CA. Request denied by staff October 3, 2014. Applicant directed to apply for changes.
- Zoning Permit 15-0194CA; Replace vestibules, ramps, asphalt sidewalks to concrete, install lights, bollards, EV charging station, bike rack. Approved August 2014.
- Zoning Permit 14-0110CA; Installation of bleacher unit along the west sideline of rugby field with associated pervious stone pad. Approved August 2013.
- Zoning Permit 13-0372CA; Replace existing shed with new wooden shed in same location. Approved October 2012.
- Zoning Permit 07-0279CA; Install exhaust ventilation equipment for UVM Rescue Ambulance Bay on south side of building. Approved October, 2006.
- Zoning Permit 04-162; Remove two existing emergency generators and replace with 13' x 6' generator on a ground pad, and a pad for a transfer-switch box and fuel tank. Enclosure and screening to be added. Approved October 2003.
- Review of condition of approval #E.2 for 280 East Avenue, MA 94-044 regarding parking requirements. UVM to relocate their municipal plant administration staff of 28 people

and police services administration to the former VNA space located at 284 East Avenue as conditioned by the Board under its review of the addition to the UVM Library Storage and IMF Facility, MA 94-044, #e.2. Approved at deliberative session, July 1994.

- Zoning Permit CU-93-030, Conditional Use of changing approximately 1,200 sq. ft. accessory Adult Daycare space to medical office space. Approved November 1992.
- Conditional Use Review for a parking lot of 190 spaces at a location easterly of 284 East Avenue in UC zone, connected to a parking lot of 255 spaces in South Burlington. Approved July 1990.
- Zoning Permit 87-641; freestanding sign. Approved December 1987.
- Zoning Permit 87-581; install two flagpoles in front of existing building. Approved November 1987.
- Zoning Permit 86-477 / COA 86-049; Conditional use permit to relocate VNA's headquarter to UVM's Student Health Center. Approved May 1986.
- COA 86-049; Conditional Use request to relocate VNA headquarters from 260 College Street to the building presently operated as the UVM Student Health Center. Approved June 1986.
- Zoning Permit for UVM Health Services Infirmatry to enlarge the floor area for health facilities by enclosing the ground floor area and remodeling the interior of the rear wing on the south side of the existing nursing home. Approved March 1974.
- Request temporary permission to store precast concrete slabs for Life Science Building on the lot south of 284 East Avenue (Municipal Nursing Home.) Approved June 1966.

Overview: The applicant had made site alterations under Zoning Permit 15-0194CA, and after picking up the zoning permit, requested changes to that approval. As the proposed changes appeared to have greater implications for site disturbance that would require additional review by the stormwater administrator, and that coverage calculations would be altered, the request for "As-built" review was denied and the applicant was urged to apply for a new zoning permit to acknowledge and accommodate those changes. The subsequent application (subject of this appeal) was **denied December 4, 2014** due to the incompleteness of the submission, and a proposal to increase the amount of coverage in excess of limitations of the zoning district, increasing the level of non-conformity on the parcel.

Recommendation: Deny the appeal and **uphold the administrative denial** per the following findings:

I. Findings

Article 3: Applications, Permits and Project Reviews

Section 3.2.5 Completeness of Submission, Administrator's Action

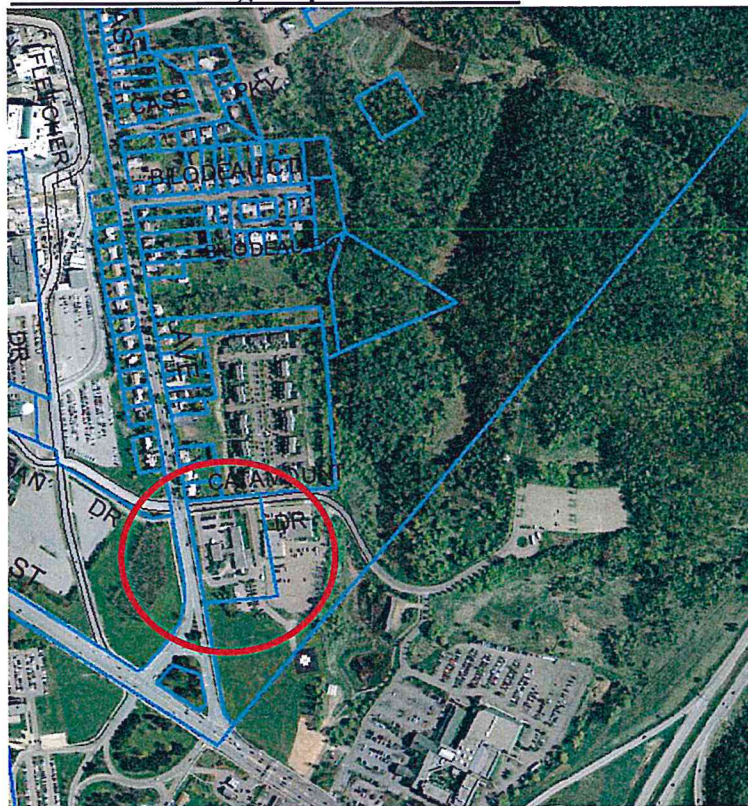
An application for a zoning permit shall not be complete until all submission requirements have been provided to the satisfaction of the administrative officer.

The application proposed alterations that included a new access drive for police services. As evaluated by staff after submission, the amount of ground disturbance proposed exceeded 400 sq. feet.

Chapter 26, Wastewater, Stormwater and Pollution Control, requires that any construction activity that includes land disturbance activities of 400 square feet or more are subject to zoning permit review and approval by the City Stormwater administrator. (See **Article 3 of Stormwater & Erosion control, Division I, General Provisions, Section 26-3-1 A. 2.**)

The applicant was notified via email October 28, 2014 that an EPSC (Erosion Prevention and Sediment Control Plan) would be required to complete the submission materials. A staff letter to the applicant on November 13, 2014 reiterated the requirement for an EPSC plan as more than 400 sq. ft. would be disturbed by the project. On October 29, 2014 the applicant requested via email to use the previous EPSC plan submitted for ZP15-0194CA. As the application under consideration involved land disturbance in a different area and to a different degree than the previous permit, the previous EPSC plan was not valid for review. No further plans were submitted prior to administrative decision, and therefore the application remained incomplete.¹ Materials submitted after the decision date was not considered. **Adverse finding.**

Article 4: Zoning Maps and Districts



284 East Avenue. Blue lines are parcel boundaries.

Section 4.4.4 Institutional District Table 4.4.4-1 Dimensional Standards and Density

Institutional Coverage is limited to 40%. Submission materials define coverage to increase from a current coverage on the parcel of 48.06% to 48.10%. At present, coverage is in excess of limits defined by this standard. See Non-Conformities, below.

The applicant countered this finding with the assertion that coverage could be calculated using an *aggregate* of all parcels owned contiguously by the university (as allowed in the ICC-UVM overlay), and providing mapping that included parcels both east and south of 284 East Avenue. See plan submitted December 17, 2014, defined as

“Main Institutional-Centennial South.” The subject parcel is a distinct and separate parcel, requiring an evaluation

¹ Attached please find communication between Krebs and Lansing Consulting Engineers, Inc. and Greg Johnson, Stormwater/GIS Technician. All were received **AFTER** the decision date of December 4, 2014.

of dimensional standards based on the individual parcel. As the suggested development would



This image defines the parcel boundary (in blue) and the zoning district boundary. The RL, zone in yellow, extends into the northerly part of the subject parcel, over Catamount Drive. The remainder of the parcel is within the Institutional zone.

increase coverage in excess of limitations defined by Section 4.4.4 and the existing non-conforming level, the application is in conflict with this standard.

Adverse finding.

A footnote to the Institutional Dimensional Standards and Density Table (4.4.4-1) states:
3. Maximum allowable lot coverage, setbacks and building height in portions of this district may be modified by the provisions of the Institutional Core Campus Overlays in Section 4.5.2.

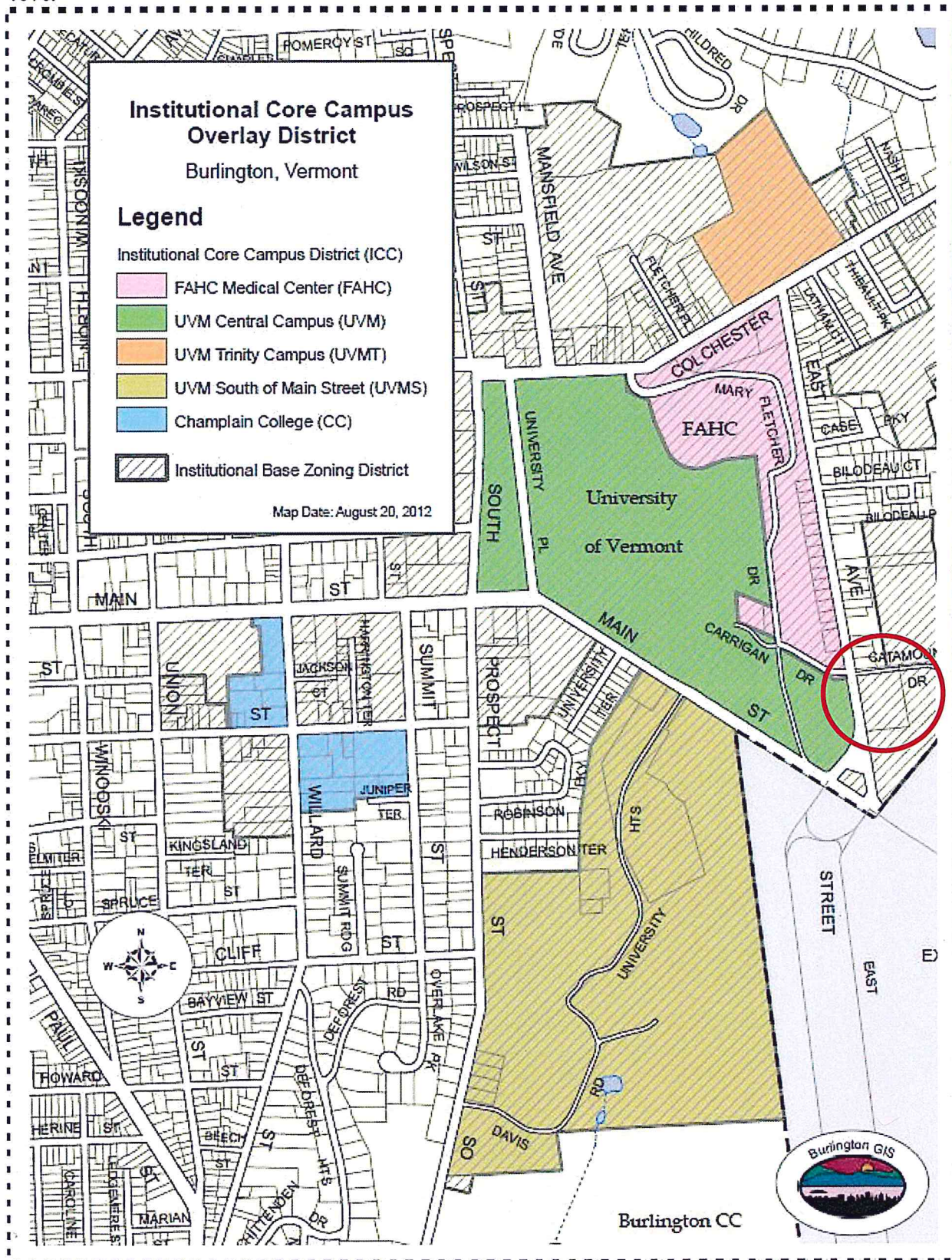
Section 4.5.2 (d) District Specific Regulations: UVM Central Campus (ICC-UVM)

2. Lot coverage

Maximum lot coverage shall be applied to the aggregate of all lots owned by the institution and located within the ICC-UVM District. Lot coverage shall not exceed 65% except as provided below.

284 East Avenue is not within the ICC-UVM overlay district; therefore this provision to allow coverage calculations based upon the aggregate of all lots owned by the institution does not apply. Coverage calculations for 284 East Avenue would therefore be those defined by Table 4.4.4-1, and limited to

40%.



(See 284 East Avenue highlighted; outside the ICC-UVM overlay.) Adverse finding.

Article 5: Citywide General Regulations

Part 3: Non-conformities

Section 5.3.5 Nonconforming Structures

(a) Changes and Modifications

Any change or modification to a nonconforming structure, other than to full conformity under this Ordinance, shall only be allowed subject to the following:

- 1. Such a change or modification may reduce the degree of nonconformity and shall not increase the nonconformity except as provided below.*

(Exceptions pertain to setbacks for residential districts. No exception under this standard for Institutional district.)

The current coverage was provided in submission materials as 48.06%, with a proposed increase to 48.10%. This would functionally increase the level of non-conforming coverage on the site, which is limited to 40%.² **Adverse finding.**

Section 5.5.3 Stormwater and Erosion Control

All new development and redevelopment projects that require a zoning permit shall be required to demonstrate compliance with the standards in Article 3, Stormwater & Erosion control of Chapter 26 of the City Code of Ordinances: Wastewater, Stormwater, and Pollution Control.

See comments under Sec. 3.2.5, above. No EPSC relative to this development was submitted to staff prior to the date of decision.³ **Adverse finding.**

NOTE: These are staff comments only. The Development Review Board, who may approve, table, modify, or deny projects, makes decisions.

² After the original submission, the applicant subsequently provided coverage calculations based upon aggregate of contiguous lots. A third set of coverage calculations was submitted to staff **AFTER** the permit denial, and have been incorporated within this packet for informational purposes. As they postdate the administrative decision, they were not considered by review staff.

³ Additional supporting material was submitted **AFTER** the date of decision. See email of December 11, 2014; Greg Johnson to Krebs and Lansing; email from Krebs and Lansing to Greg Johnson dated December 10, 2014; and appeal submission material provided by the applicant December 17, 2014.



CAMPUS PLANNING SERVICES

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DEC 17 2014

DEPARTMENT OF
PLANNING & ZONING

To: Ken Lerner, Zoning Administrator, Mary O'Neil, Senior Planner
Burlington Planning & Zoning Department
149 Church Street
Burlington, VT 05401

December 17, 2014

Re: 284 East Avenue, Appeal of Permit Denial of ZP 15-0536CA

Dear Ken and Mary,

The University of Vermont appeals the decision to deny the zoning permit application for 284 East Avenue. We know there have been a few misunderstandings regarding this minor adjustment to a small project and the University has made several inadvertent errors which may have contributed to the confusion. In the alternative, we ask that this be considered a request for reconsideration based on revised information.

The decision to deny the permit application to relocate a curb cut and driveway at 284 East Avenue was based on mistaken information supplied by the University. We would now like to correct this information and get approval to move on with this needed public safety improvement to University facilities.

1. Net Decrease in Lot Coverage

The University's October 27 application for relocation of a curb cut and driveway noted, mistakenly, that lot coverage would increase slightly as a result of this project. Apart from that error, staff defined "lot" as an internal lot surrounded by additional University owned property. This resulted in staff finding that lot coverage was over 40%, which is a non-conforming coverage as per Burlington Comprehensive Development Ordinance (BCDO) §4.4.4 since the maximum lot coverage in the I District is 40%. Increasing lot coverage would increase the non-conformity.

The University respectfully disagrees with this interpretation of the lot definition however in this case, lot coverage will DECREASE as a result of this change. See email from Bill Nedde, Krebs & Lansing Consulting Engineers Inc with attached site plans A-1, dated 11-13-14. Lot coverage actually goes down by 458 sf from the previously permitted design to the proposed revision. Therefore there is no increase in non-conformity as per BCDO §5.3.5.

We would like to discuss with you at some time in the near future the issue of what constitutes a lot in terms of the University's property.

See attached Site Location Map.

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2. No Need for a New EPSC

As per BCDO §3.2.5 staff deemed the submittal incomplete without a revised EPSC. The Burlington Stormwater Program, the entity responsible for approving the EPSC, had not had a chance to weigh in on this. Greg Johnson, Stormwater/GIS Technician with the City of Burlington Department of Public Works, reviewed the application and wrote that the same EPSC questionnaire could be used with the revised plan. See Greg Johnson's 12/11/2014 email, attached. Therefore there is no need for a new EPSC application.

3. Requested Relief

The University requests that the permit denial be overturned and the permit approved instead, in light of this new information. The permit application, with the attached corrections, meets all requirements as per the BCDO.

Thank you for your attention to this.

Sincerely,

Lani Ravin, AICP
Associate Planner, CPS

Attachments:

Appeal of an Administrative Decision Request

Check # 1339173 for \$250, Appeal fee

Email from Bill Nedde, Krebs & Lansing Consulting Engineers, Inc., dated 12/10/2014

Two (2) Impervious Area Plan calculations, 5/2/14 & 11/13/14

Site Location Map

Emails from Greg Johnson and Bill Nedde, dated 12/11/2014

October 27 zoning permit application:

Cover letter, dated 10/23/2014

Application

Panoramic photo

Overall Site Plan C-2A, dated 10/23/14

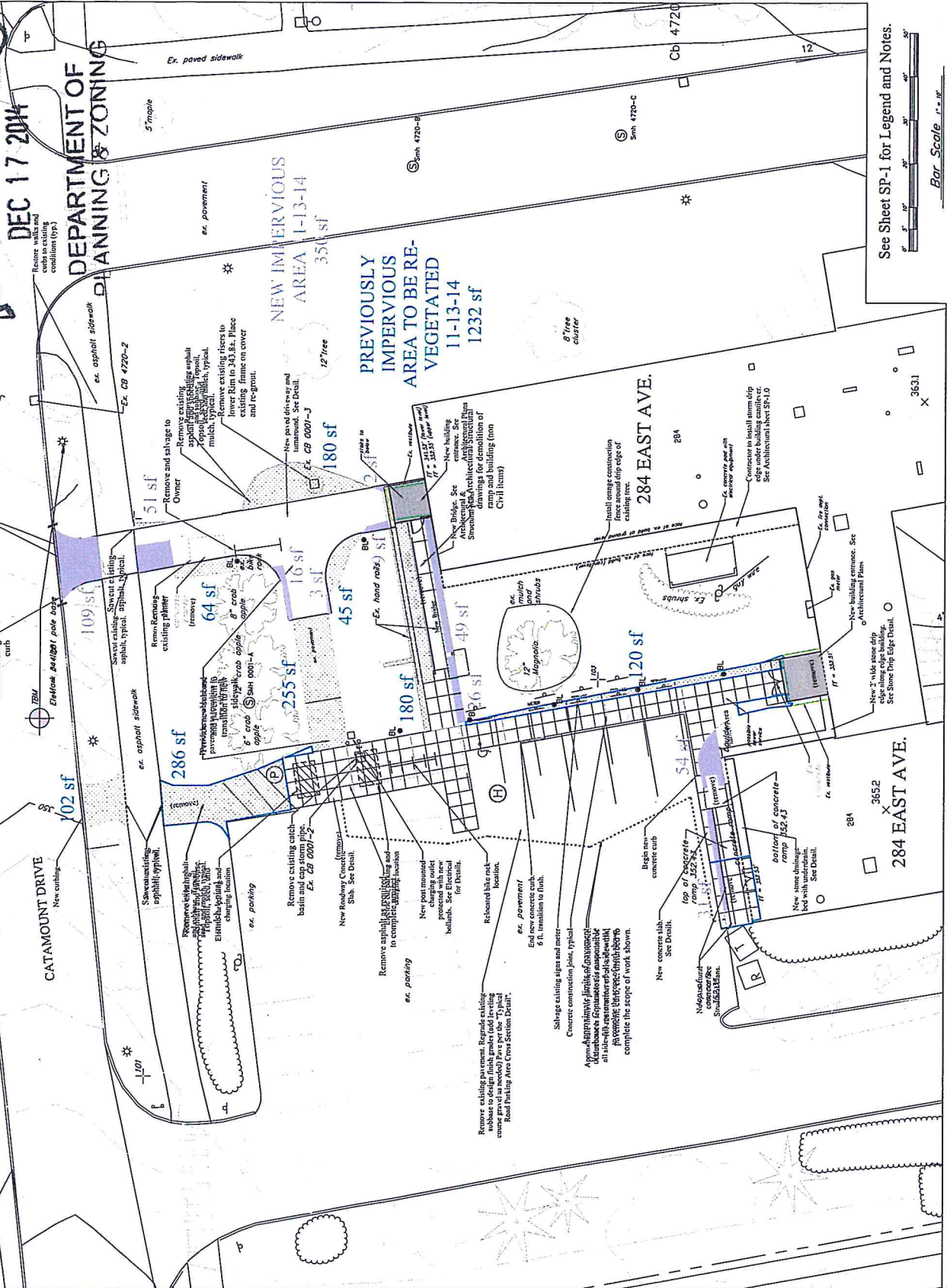
Letter from Mary O'Neil, dated 11/13/2014

Zoning Request Denial

Zoning Permit Reasons for Denial

Cc: Linda Seavey, Director, Campus Planning Services, UVM
Shirley Fortier, Assistant Planner, Campus Planning Services, UVM
John Collins, Esq., Collins, McMahon & Harris P.L.L.C.

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DEC 17 2014

UNIVERSITY OF VERMONT
PHYSICAL PLANT DEPARTMENT
284 EAST AVENUE
BRUNSWICK, VERMONT 05405
(802) 656-1079
Contact: Lucie Hannon

CIVIL ENGINEER
K&L
Kris & Lucie Consulting Engineers, Inc.
160 Main Street, Suite 201
Brunswick, Vermont 05405
Tel: (802) 656-1079
www.kandlinc.com



PERMIT REVIEW ONLY

Project:
284 East Avenue

Project No. 11248
Scale 1" = 10'
Drawn by JMB/7/08
Checked by
Date
Revisions
No. Date

Drawing Title
IMPERVIOUS AREA
11-13-14

Drawing No.
11-13-14
A-1

See Sheet SP-1 for Legend and Notes.

Bar Scale 1" = 10'

DEC 17 2014



CIVIL ENGINEER

K&L
Kutts & Lansing Consulting Engineers, Inc.
184 Main Street, Suite 201
Colchester, VT 05448
T: (802) 878-0375
F: (802) 878-0618
email: kutts@kuttsandlansing.com

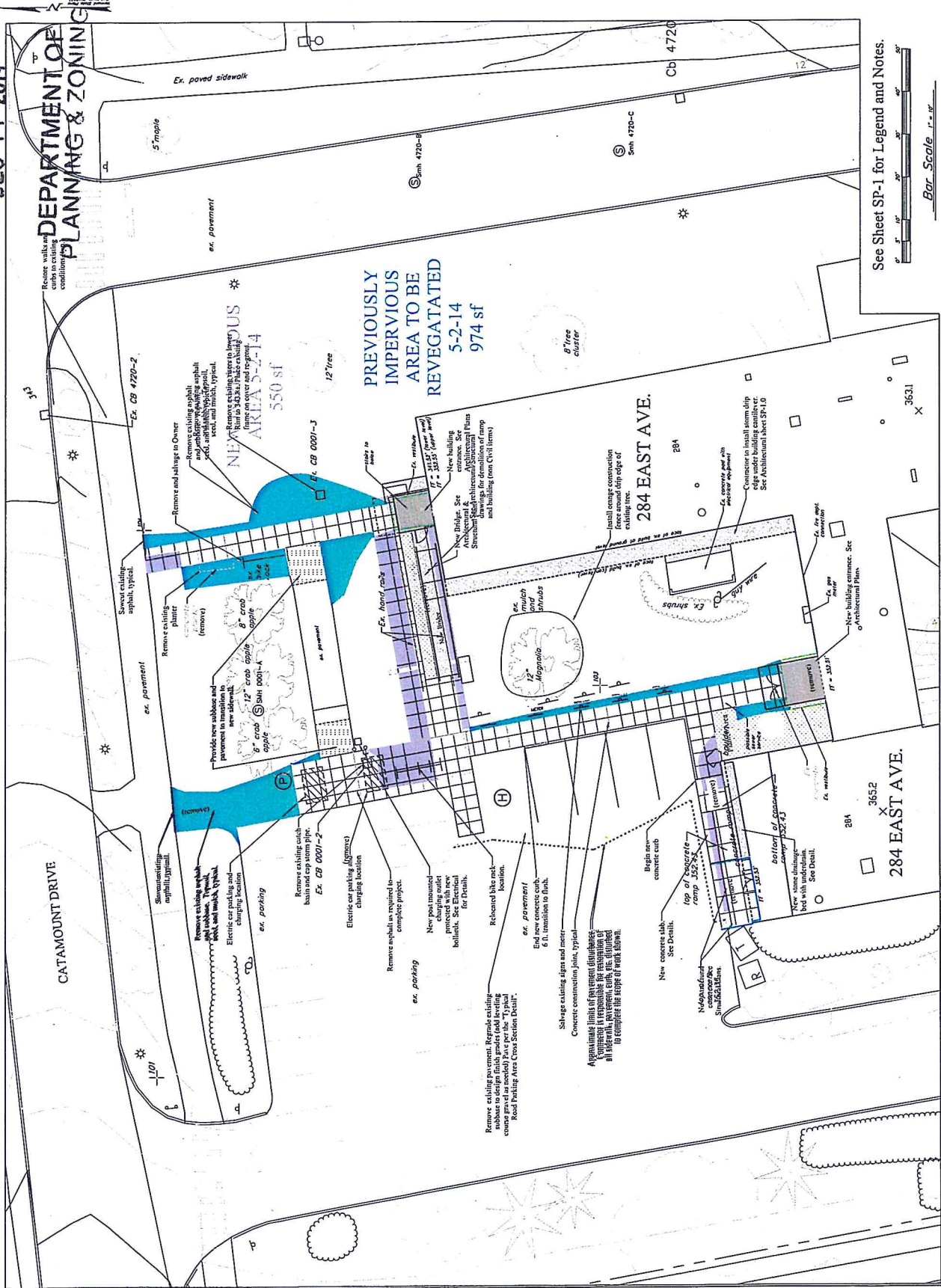
Project: 284 East Avenue

Project No.	11246
Scale	$1'' = 10'$
Drawn by	DWS/TAB
Checked by	
Date	
Revisions No. Date	

IMPERVIOUS
AREA 5-2-14

A-1

1174





Department of Planning and Zoning

149 Church Street, City Hall

Burlington, VT 05401-8415

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DEPARTMENT OF
PLANNING & ZONING

Zoning Permit Application

Use this form for ALL zoning permit applications. See the relevant checklist for specific requirements.

PROJECT LOCATION ADDRESS: 284 East Avenue

PROPERTY OWNER*: University of Vermont &
State Agricultural College

*If condominium unit, written approval from the Association is also required

APPLICANT: Campus Planning Services, UVM

POSTAL ADDRESS: 109 South Prospect Street

CITY, ST, ZIP: Burlington, VT 05405

DAY PHONE: 656-3208

EMAIL: Linda.Seavey@uvm.edu

Linda Seavey, Director, Campus Planning Services, University of Vermont & State Agricultural College

SIGNATURE: *Linda Seavey*

I am the owner. In addition, I duly authorize the applicant (if noted) to act on my behalf for all matters pertaining to this zoning permit application.

POSTAL ADDRESS: 109 South Prospect Street

CITY, ST, ZIP: Burlington, VT 05405

DAY PHONE: 656-3208

Contact:

EMAIL: Shirley.Fortier@uvm.edu

SIGNATURE: *Linda Seavey*
for the University of Vermont

Description of Proposed Project: Minor relocation of Police Services access to Catamount Drive, a private road. This 7.5' wide asphalt driveway conforms with VTrans B-71 road design guidelines recommending curb cuts be at least 40' apart. One tree to be removed and asphalt sidewalk to be restored.

Existing Use of Property: ☐ Single Family ☐ Multi Family: # ___ Units ☒ Other: Academic

Proposed Use of Property: ☐ Single Family ☐ Multi Family: # ___ Units ☒ Other: Academic

- **Does your project involve new construction, addition, alteration, renovation, or repair to a structure that is heated or cooled?** Yes ☐ No ☒
(If yes, the Vermont Residential Building Energy Standards (VRBES) apply. Visit the P&Z Office, Public Service Board or PSB website for details)
- **Will 400 sq ft or more of land be disturbed, exposed and/or developed?** Yes ☐ No ☒
(If yes, you will need to submit the 'Erosion Prevention and Sediment Control Plan' questionnaire, with a site plan)
- **For Single Family & Duplex, will total impervious area be 2500 sq ft or more?** Yes ☐ No ☒
(If yes, you will need to submit the 'Stormwater Management Plan' questionnaire, with a site plan)
- **Are you proposing any work within or above the public right of way?** Yes ☐ No ☒
(If yes, you will need to receive prior approval from the Department of Public Works)

Estimated Construction Cost (value)*: \$ 4,606.00

(*Estimated cost a typical contractor would charge for all materials and labor, regardless of who physically completes the work)

Within 30 days of submission, the permit application will be reviewed for completeness, and, if complete, will be processed administratively or referred to a board for review. All permit approvals or denials are subject to an appeal period (15 days for administrative permit; 30 days for board permit). A building (and/or electrical, mechanical, plumbing, curb cut) permit will also be required. Contact the Department of Public Works at 802-863-9094 to inquire. Please ask for assistance if you have any questions about filling out this form. Call the Planning and Zoning at 802-865-7188, or visit the office in the lower level of City Hall, 149 Church Street.

Office Use Only: Zone: _____ Eligible for Design Review? _____ Age of House _____ Lot Size _____
Type: SN _____ AW _____ FC _____ BA _____ COA 1 ☒ COA 2 _____ COA 3 _____ CU _____ MA _____ VR _____ HO _____ SP _____ DT _____ MP _____
Check No. 1332497 Amount Paid \$80 Zoning Permit # 15-0536CA



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DEPARTMENT OF
PLANNING & ZONING

October 23, 2014

Scott Gustin, Senior Planner
City of Burlington
Dept. of Planning & Zoning
149 Church Street
Burlington, VT 05401

RE: University of Vermont, 284 East Avenue, Burlington, VT
Revised Curb Cut Project

Dear Scott:

The University of Vermont is requesting COA Level I permit approval to relocate one existing curb-cut and construct a new driveway for Police Services vehicular drop-off. The purpose of this project is to improve Police Services access to a holding area located on the north side of the building.

As shown in the panoramic photograph, the electric car curb-cut is currently 48.5' east of the primary 284 East Ave. driveway. We propose to shift that curb cut further east so that the total distance from the primary 284 East Ave. driveway is 102'. It is at this new location, the University will construct a new drop-off driveway, 70' long and 7.5' wide. There are no changes in use, parking, or to the building itself. Lot coverage will increase slightly by 147 sq. ft, bringing the percentage from 48.06% to 48.10%.

This project includes removal of one tree and reseeding the area where asphalt is removed from the electric car curb-cut. The new curb-cut will comply with the Vermont Road Design Guideline B-71 which recommends curb-cuts be separated by a distance of 40'.

We would like to combine the work previously permitted under ZP15-0194 with this minor curb-cut relocation project. In light of the fact that construction is already underway, we requested an as-built amendment to that permit, but were denied. As such, we are requesting an administrative review of this minor change at your earliest opportunity. The estimated additional project cost is \$4,606.10.

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Scott Gustin, Senior Planner

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For your review and consideration, we enclose:

1. COA Level I permit application;
2. Check in the amount of \$80.00 (\$70.00 plus \$10.00 filing fee);
3. Panoramic photo with curb-cut distances noted;
4. C-2A Site Plan dated October 23, 2014.

DEPARTMENT OF
PLANNING & ZONING

Thank you for your consideration of this request.

Sincerely,

SR for Shirley Fortier

Shirley Fortier, M.E.L.P
Administrative Analyst/Planner

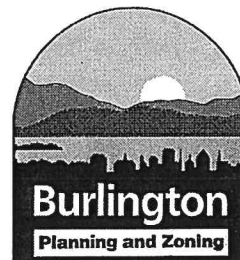
Encs.

Cc: Luce Hillman, P.E., Assistant Director, UVM Physical Plant Department
Scott Goodwin, Project Mgr., UVM Physical Plant Department
Lani Ravin, Associate Planner, UVM Campus Planning Services
Linda Seavey, Director, UVM Campus Planning Services

Department of Planning and Zoning

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Mary O'Neil, AICP, Senior Planner
Nic Anderson, Zoning Clerk
Elsie Tillotson, Department Secretary



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DEPARTMENT OF
PLANNING & ZONING

November 13, 2014

Linda Seavey
Campus Planning Services, UVM
109 South Prospect Street
Burlington, Vermont 05405

Dear Linda, Lani and Shirley,

On October 27 2014, our office received an application for the following at 284 East Avenue:

"Relocation of Police Services access to Catamount Drive. One tree to be removed."

We shared several communications; beginning with an email October 28, 2014 and the last being November 3, 2014. Initial concern was the lack of an Erosion Prevention and Sediment Control Plan (as noted by our clerk, on the 28th). Our office cannot re-use the EPSC submitted for the prior application, as the location and breadth of site disturbance are different. Problems were then identified with increasing the level of non-conformity relative to site coverage. As identified in the application, site coverage would increase from 48.06% to 48.10%. The district has a 40% lot coverage limitation, so at present is non-conforming.

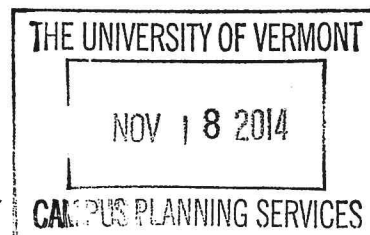
Our office has an obligation to move projects forward and to review within a timely period. I would encourage you to explore methods to reduce coverage, to alter parcel boundaries to allow for your development while meeting the requirements of the ordinance, or to withdraw the permit application.

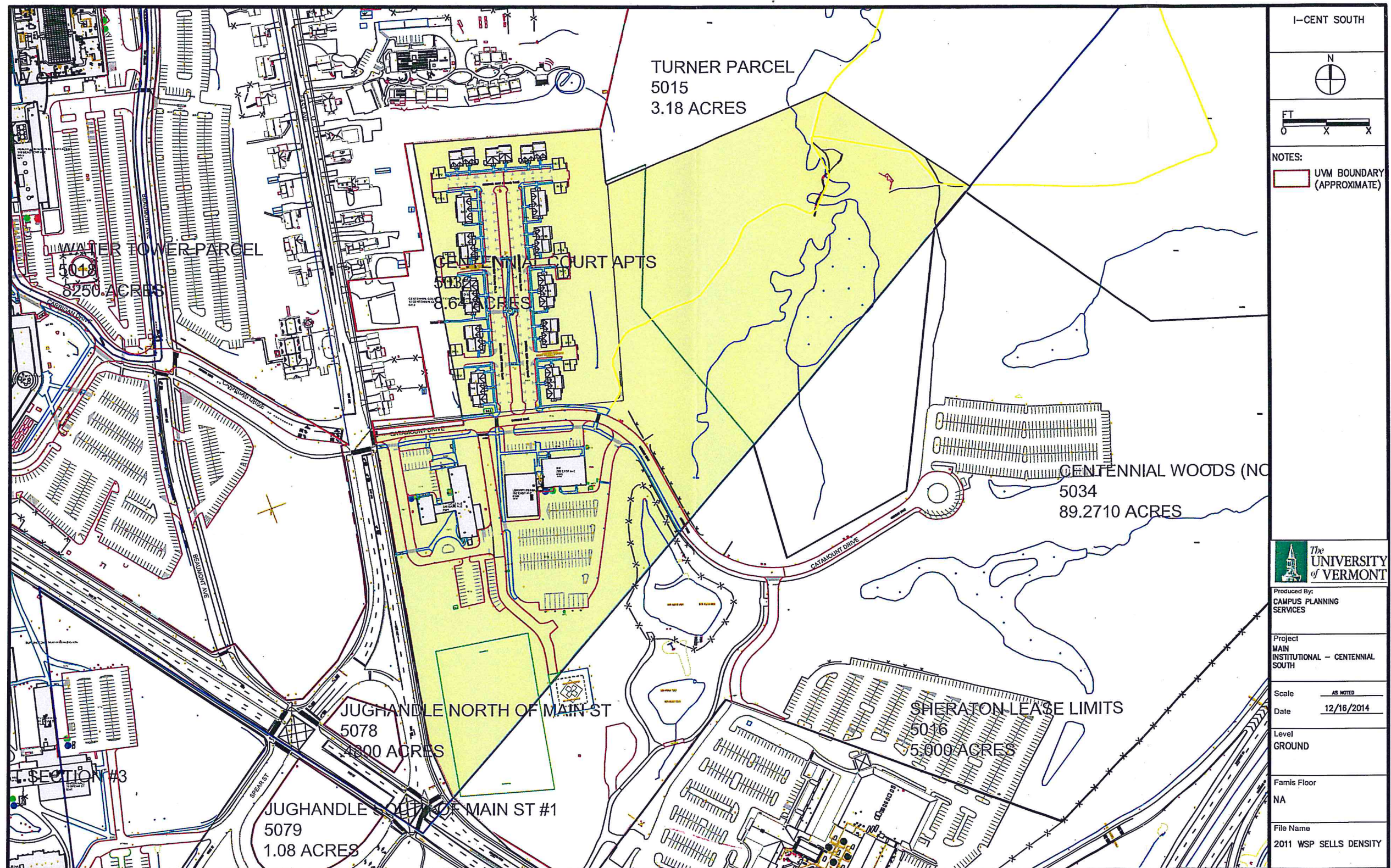
If I do not hear from you by Friday, November 28, 2014 your permit application will be denied.

If you have any other questions, please contact me directly.

Cordially,

Mary O'Neil, AICP
Senior Planner
City of Burlington





**Building floor plans and campus maps cannot be posted to the Internet or published in any form without prior written consent obtained from UVM Campus Planning Services.
**All data should be verified prior to any design, excavation, or construction.

DWG: S:\CPS\SPACEDAT\DWGS\DRAWINGS\DENSITY\CALCS\2011 WSP SELLS DENSITY\2011 WSP SELLS DENSITY.DWG

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University Of Vermont
284 Revised Curb Cut
10/23/2014



Nic Anderson

From: Lani Ravin <lravin@uvm.edu>
Sent: Thursday, October 30, 2014 1:50 PM
To: Nic Anderson
Cc: Shirley J. Fortier
Subject: Re: Fwd: 284 East Avenue

Hi Nic,

We have recalculated correct lot coverage for the 284 East Avenue area. The parcel, as per city guidelines, extends to the property lines at East Avenue, Centennial Woods RCO zoning district, Main Street and the city boundary. Catamount Drive is a private road so that is completely included within both the parcel line and the lot coverage calculation.

The corrected lot coverage for this site increases from 24.33% to 24.34%, due to the permit application submitted on Monday.

Please let me know if you have any further questions.

Thank you,
Lani

On 10/29/2014 1:18 PM, Lani Ravin wrote:

Hi Nic,

Shirley is out of the office due to illness, right now. She is working remotely as health permits, so could you cc me on all correspondence.

To address your concerns:

1. The construction work on 284 is ongoing. Please use the EPSC that was filled out for the first zoning permit, since that is what we are using now, and this modification of plans will be done as part of the existing construction work that does have an EPSC as well as a zoning permit.
2. How we calculate lot coverage: We calculate lot coverage from property line to property line within the same zoning district; this is how the City instructed us. In this case it would be the entire lot from the rugby field to Centennial Woods. There has evidently been an error in calculation since the overall lot coverage is and will remain less than 40%.
3. The lot coverage will be recalculated, using the entire lot as the basis of calculation. We will get that to you today or tomorrow.

Please let me know if you have any further questions.

Thanks,

Lani

On 10/29/2014 1:00 PM, Shirley J. Fortier wrote:

----- Forwarded message from nanderson@burlingtonvt.gov -----

Date: Tue, 28 Oct 2014 20:02:45 +0000

From: Nic Anderson nanderson@burlingtonvt.gov

Reply-To: Nic Anderson nanderson@burlingtonvt.gov

Subject: 284 East Avenue

To: Shirley Fortier shirley.fortier@uvm.edu

Cc: Scott Gustin SGustin@burlingtonvt.gov

Hi Shirley,

I noted on your application form that you said that 400sqft would not be disturbed. Looks to me on the plan that each driveway may be 400sqft by themselves so it is assumed that around 1000sqft would be disturbed. On that note, please provide the required EPSC form (attached).

Also, can you please provide a detailed coverage breakdown of how you got to the figures on the cover letter of 48.08 and 48.10.

Finally, it looks like this property is located within the Institutional zone which has a coverage maximum of 40%. Therefore, an increase to the existing non-conforming coverage could not be approved. There would need to be a breakdown that shows no net change to coverage to be able to be approved. Please confirm.

Cheers,

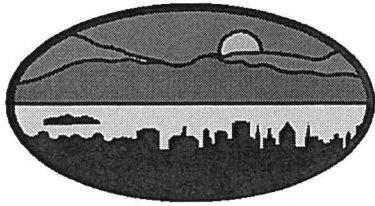
Nic

--

Lani Ravin, AICP
Associate Planner, Campus Planning Services
University of Vermont
109 South Prospect St.
Burlington, Vermont 05405
Tel: (802) 656-3217
email: Lani.Ravin@uvm.edu

"Let me tell you what I think of bicycling. I think it has done more to emancipate women than anything else in the world."

Susan B. Anthony, 1896



ZONING REQUEST DENIAL
CERTIFICATE OF APPROPRIATENESS

RECEIVED
DEC 17 2014

City of Burlington, Vermont
Department of Planning and Zoning
DEPARTMENT OF PLANNING & ZONING

Application Date: 10/27/2014

Appeal Expiration Date: 12/19/2014

Project Location: 284 EAST AVENUE

District: I/RL

Owner: University of Vermont & State Agricultural College

Ward: 1

Address: C/O Campus Planning Service
109 South Prospect ST
Burlington VT 05405

Tax ID: 051-1-032-001

Project Type: Institutional - Site Imp/Landscaping/Parking/Fence

Project Description: Relocate access to property.

Construction Cost:	\$4,606	Lot Size (Sq Ft):	112,500
Net New Habitable Sq Ft:	0.00	Net New # of Housing Units:	0
Existing % Lot Coverage:	48.08	Existing # of Parking Spaces:	0
Proposed % Lot Coverage:	48.10	Proposed # of Parking Spaces:	0
Net New % Lot Coverage:	0.02	Required # of Parking Spaces:	0

Zoning Permit #: 15-0536CA

Decision By: Administrative

Level of Review: 1

Decision: Denied

See Reasons for Denial

Decision Date: December 4, 2014

Project File: NA

Zoning Administrative Officer

An interested person may appeal a decision of the Zoning Administrator to the Development Review Board until 4 pm on December 19, 2014.

Fee Type	Amount	Paid in Full	Balance Due: \$0.00
Application Fee:	\$80.00	Yes	Date Paid: _____
Development Review Fee:	\$0.00	NA	Check # _____
Impact Fee:	Not Applicable		

Building Permit Required: **Not Applicable**

Received by: _____

Date: _____



City of
Burlington, Vermont
149 Church Street

Zoning Permit - COA Level I – Reasons for Denial

ZP #: 15-0536CA

Issue Date: December 4, 2014

Property Address: 284 EAST AVENUE

Tax ID: 051-1-032-001 DEC 17 2014

Decision: Denied
DEPARTMENT OF
PLANNING & ZONING

THE UNIVERSITY OF VERMONT

DEC 10 2014

CAMPUS PLANNING SERVICES

Description: Relocate access to property.

Reasons for Denial:

Section 3.2.5 Completeness of Submission, Administrator's Action

An application for a zoning permit shall not be complete until all submission requirements have been provided to the satisfaction of the administrative officer.

The proposed relocation of the Police Services access would disturb more than 400 sq. ft., requiring submission of an Erosion Prevention and Sediment Control Plan. Applicant was notified October 28, 2014, and November 13, 2014 about the need for a revised EPSC form to accompany this application. None was received.

Section 4.4.4, Institutional District

Table 4.4.4-1, Dimensional Standards and Density

Maximum lot coverage in the Institutional Zone is limited to 40%. According to the submission documents, lot coverage is proposed to increase from the existing, non-conforming coverage of 48.06% to 48.10%. This exceeds coverage limitations for the zoning district. **Adverse finding.**

Section 5.3.5 Non-conforming structures

(a) Changes and Modifications

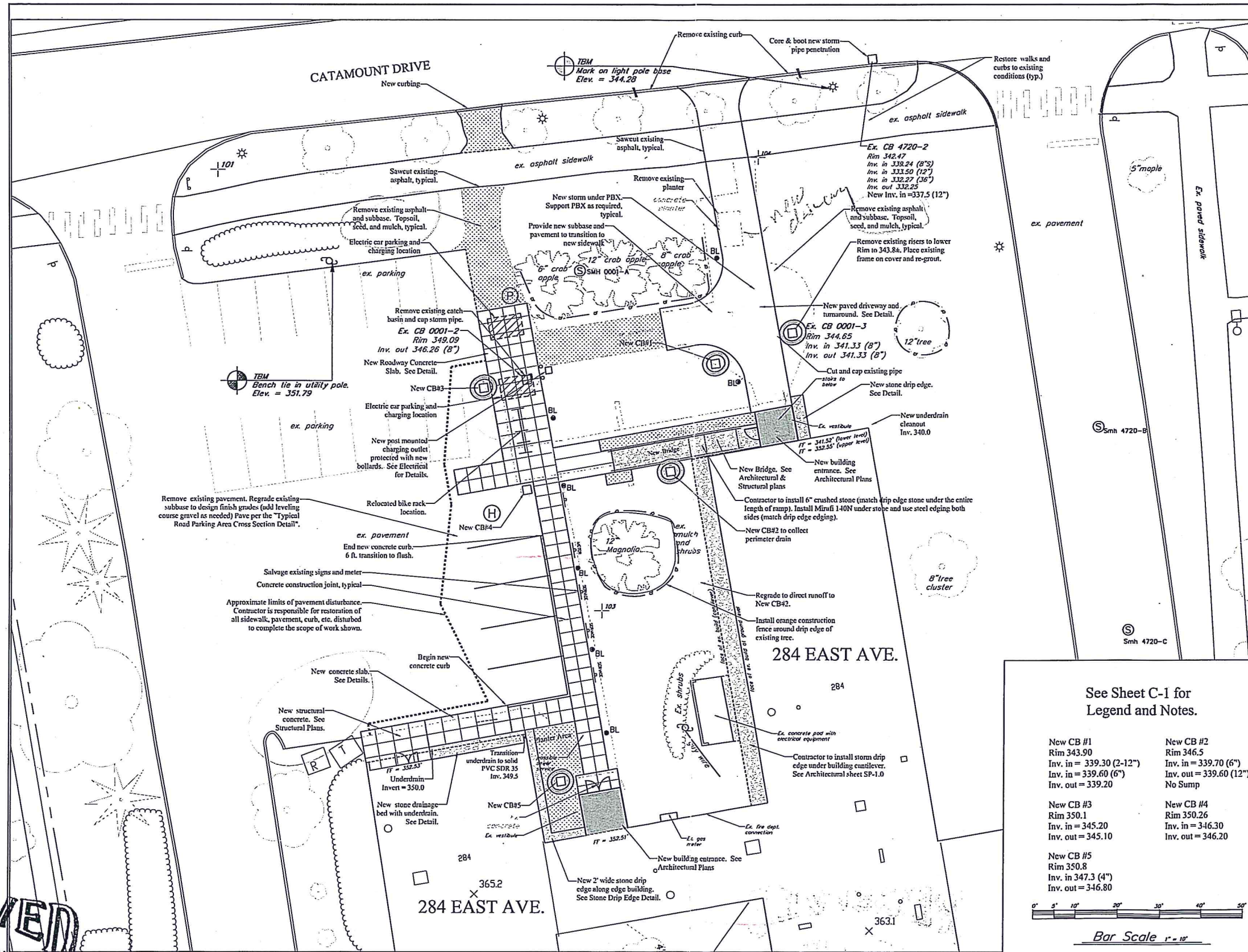
Any change or modification or modification to a non-conforming structure, other than to full conformity under this Ordinance, shall only be allowed subject to the following:

1. *Such a change or modification may reduce the degree of nonconformity and shall not increase the nonconformity except as provided below:*

Within the residential districts, and subject to Development Review Board approval, existing nonconforming single family homes and community centers (existing enclosed spaces only) that project into side and/or rear yard setbacks may be vertically expanded so long as the expansion does not encroach further into the setback than the existing structure. Such expansion shall be of the existing nonconformity (i.e. setback) and shall:

- i) *Be subject to conformance with all other dimensional requirements (i.e. height, lot coverage, density and intensity of development);*
- ii) *Not have an undue adverse impact on adjoining properties or any public interest that would be protected by maintaining the existing setbacks; and,*
- iii) *Be compatible with the character and scale of surrounding structures.*

The proposal will increase the level of non-conformity (structural coverage) above the current level of non-conformity. The exceptions do not apply as this is not within a residential district. **Adverse finding.**



University of Vermont
PHYSICAL PLANT DEPARTMENT
284 EAST AVENUE
BURLINGTON, VERMONT 05405
(802) 656-1079
Contact: Luce Hillman

CIVIL ENGINEER

K&L
Krebs & Lansing Consulting Engineers, Inc.
164 Main Street, Suite 201
Colchester, VT 05446
T: (802) 878-0375
F: (802) 878-0618
email@kreslandengineering.com



Project:
284 East Avenue

Project No. 11248
Scale 1" = 10'
Drawn by DMR/TJB
Checked by
Date October 23, 2014

Revisions	No.	Date

Drawing Title
SITE PLAN
Option 1

Drawing No.
C-2A

11248/284 Rev 2014.dwg

RECEIVED
OCT 27 2014

DEPARTMENT OF
PLANNING & ZONING

Requested plan
2P 15-0536CA

From: Krebs and Lansing [mailto:email@krebssandlansing.com]
Sent: Wednesday, December 10, 2014 4:07 PM
To: Greg Johnson; Megan Moir
Subject: RE: Fwd: FW: 284 East Ave EPSC

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DEC 17 2014

DEPARTMENT OF
PLANNING & ZONING

Hi Greg,

The applicant originally received an EPSC permit but made a change to the plan which moved the access drive. (after the EPSC was issued) The original access drive went from the west parking lot to the north side of the 284 building. The revised drive accessed off a curb cut in Catamount Drive to access the north side of the 284 building. Hope this is clear.

Feel free to call to discuss in more detail.

Thanks,

Bill

William H. Nedde III

Krebs and Lansing Consulting Engineers, Inc.

164 Main Street, Suite 201

Colchester, VT 05446

802-878-0375 / 802-878-9618 fax

Bill.Nedde@krebssandlansing.com / www.krebssandlansing.com

From: Greg Johnson [mailto:gjohnson@burlingtonvt.gov]
Sent: Wednesday, December 10, 2014 3:43 PM
To: Megan Moir; bill.nedde@krebssandlansing.com
Subject: RE: Fwd: FW: 284 East Ave EPSC

They definitely filled out an EPSC and based on my quick look at the revised plan, the EPSC would not need to be amended.

Megan – I am going to take a look in AMANDA and see why Mary would think that they did not submit a plan to us.

Greg Johnson

Stormwater/GIS Technician

City of Burlington

gjohnson@burlingtonvt.gov

(802) 863-4501 ext. 210

Subject: : FW: 284 East Ave EPSC
From: Lani Ravin <lravin@uvm.edu>
Date: 12/11/2014 6:37 PM
To: Lani <lravin@uvm.edu>

RECEIVED
DEC 17 2014

From: Krebs and Lansing [mailto:email@krebssandlansing.com]
Sent: Thursday, December 11, 2014 9:26 AM
To: 'Greg Johnson'; 'Mary O'Neill'
Cc: 'Megan Moir'
Subject: RE: Fwd: FW: 284 East Ave EPSC

DEPARTMENT OF
PLANNING & ZONING

Thanks Greg,

Bill

William H. Nedde III

Krebs and Lansing Consulting Engineers, Inc.

164 Main Street, Suite 201

Colchester, VT 05446

802-878-0375 / 802-878-9618 fax

Bill.Nedde@krebssandlansing.com / www.krebssandlansing.com

From: Greg Johnson [mailto:gjohnson@burlingtonvt.gov]
Sent: Thursday, December 11, 2014 9:23 AM
To: Krebs and Lansing; Mary O'Neill
Cc: Megan Moir
Subject: RE: Fwd: FW: 284 East Ave EPSC

Hi Bill,

I can clearly see the change on the plan and based on my review, the revision would not change the status of the EPSC permit. I think the confusion was that moving the drive access triggered planning and zoning to create a new permit, and that revision was not reflected as a change to the original permit.

Mary – could you confirm that I am understanding this correctly? On our end, if we use the same EPSC questionnaire and add in the revised plan, we should be all set.

Greg Johnson

Stormwater/GIS Technician

City of Burlington

gjohnson@burlingtonvt.gov

(802) 863-4501 ext. 210

Subject: Fwd: Fwd: FW: 284 East Ave.
From: Lani Ravin <lravin@uvm.edu>
Date: 12/11/2014 6:30 PM
To: Lani <laniravin@uvm.edu>

RECEIVED
DEC 17 2014

DEPARTMENT OF
PLANNING & ZONING

----- Forwarded Message -----

Subject:FW: 284 East Ave.
Date:Wed, 10 Dec 2014 14:50:11 -0500
From:Krebs and Lansing <email@krebsandlansing.com>
To:laniravin@uvm.edu
CC:luce.hillman@uvm.edu, 'Scott Arthur Goodwin' <sagoodwi@uvm.edu>

Hi Lani,
Here are the lot coverage calculations we gave to Michael in November.

>From existing conditions to original permitted design = reduction of 424 sf
>From existing conditions to revised design = reduction of 882 sf

>From original permitted design to revised design = reduction of 458 sf

Hope this helps,

Bill

William H. Nedde III
Krebs and Lansing Consulting Engineers, Inc.
164 Main Street, Suite 201
Colchester, VT 05446
802-878-0375 / 802-878-9618 fax
Bill.Nedde@krebsandlansing.com / www.krebsandlansing.com

----- Attachments: -----

284 Base 2014 Police area imperv work 11-13-14.pdf	647 KB
284 Base 2014 - Original area imperv work 05-04-14.pdf	704 KB